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10/628,821	07/28/2003	David Scott Leone	60072US	5889

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EXAMINER	
ROSE, HELENE ROBERTA	

ART UNIT	PAPER NUMBER
2163	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/628,821	LEONE ET AL.	
	Examiner	Art Unit	
	Helene R. Rose	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *28 July 2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. Claims 1-23 have been presented for examination.

2. Claims 1-23 have been rejected.

Claim Objections

3. Claims 4-5 are objected to because of the following informalities: Claims 4-5 recited the term "time line vs. "timeline". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 3,4,15, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3, line 19 on page 12, claim 15, line 1 on page 14; claim 19, line 15 on page 14 recite one of the following limitations "or" and "and/or", these limitations renders the claim vague and indefinite, because using either "and/or" AND "or" is considered alternative language. Therefore, the limitations renders the claims vague and indefinite, because it is unclear as to how the examiner should examined the claimed limitations.

Claim 4 is rejected under 112, second paragraph because it depends from the rejected claim 3.

Claim Rejections – 35 U.S.C – 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Dougherty et al (US Patent No. 6,256,638).

Claims 1 and 22:

Regarding claims 1and 22, Dougherty teaches a computer software method for multiple track time line display with document links (column 11, lines 23-28 and column 12, lines 14-17, wherein the term "multi-track mode" is defined as two or more tracks from which to read out charge, and as it is defined in processing terms, each track is treated as a single track, Dougherty), comprising the steps of:

scanning and coding documents into digital information(column 3, lines 10-17, wherein format of the machine-readable information is a two-dimensional bar code comprising a plurality of colored glyphs, the plurality of colored glyphs arranged such that digital information is encoded within the two-dimensional bar code in which barcodes consist of a group of printed and variously patterned bars and spaces and sometimes numerals that is designed to be scanned and read into computer memory as identification for the object it labels, Dougherty);

accessing the digital information, where the digital information includes at least one information track (column 4, lines 40-50, wherein information encoded on the Linkmark may

include a uniform resource locator (URL), and wherein it may include a particular document available upon a computer system, Dougherty);

displaying the digital information by juxtaposing at least two views of the at least one information track on a display (column 8, lines 1-11, Dougherty);

independently scrolling at least one view of the at least one information track (column 7, lines 57-60, wherein a particular webpage, instruction marks may be navigation commands such as scroll up and scroll down commands, respectively, wherein respectively is known to be separate and not shared, Dougherty); and

providing at least one hotspot on the at least one information track to allow navigation by activating the at least one hotspot, where the at least one hotspot links to digital information related to the at least one information track (column 2, lines 58-67, wherein the machine readable operating instruction could be a navigation command or other suitable instruction for controlling the invoked web site and column 4, lines 33-38, wherein encoded physical medium may also include a document identification hotspot, similar to the region and the content encoded within the document ID hotspot will, however, be special in that it provides an indication of the identity of the particular encoded physical medium, Dougherty).

Claim 2:

Regarding claim 2, Dougherty teaches the method further comprising the step of displaying the related digital information when a hotspot to the related information is activated (column 9, lines 14-43, wherein computer user selects a desired hotspot such as a region, and wherein the web page would be display upon a display screen for the computer user, and wherein the encoded information indicates that an application should be invoked or a document

opened. If yes, the computer system will invoke the application or open the document, Dougherty).

Claim 3:

Regarding claim 3, Dougherty teaches a method further comprising the step of scrolling one or both views of at least one information track to juxtapose differing views of the same information track for comparison (see Figure 12, diagrams 628,630,632, and 634, wherein placing the objects side-by-side for comparison, Dougherty).

Claims 4 and 5:

Regarding claims 4 and 5, Dougherty teaches wherein the at least one information track comprises images including medical strips that contain patient information on a time line (column 11, 53-63, wherein icon represents entertainment related subject matter, and icons represent the timeliness or update frequency of information available at the corresponding webpage, Dougherty). However, Dougherty does not disclose the terms/phrase "**medical strips**" that contain "**patient information**". On the other hand, Dougherty does disclose the functionality wherein related subject matter contains information corresponding to its related subject and wherein the different icons indicates computer related subject matter corresponding with its related subject.

Claim 6:

Regarding claim 6, Dougherty teaches wherein the at least one information track comprises hotspots to documents that relate to activity recorded on the at least one information track temporally related to a time marked by the hotspot (column 11, lines 12-23, wherein the

size icon has the appearance of a shooting star thereby indicating that content on a webpage tends to be dynamic and temporary, Dougherty).

Claim 7:

Regarding claim 7. Dougherty teaches wherein the at least one information track comprises hotspots to documents that have information about activity recorded on the at least one information track near a time marked by the hotspot (column 5, lines 16-20, wherein a marker is utilized encoding a scheme implements the marker is present in measured information, and when the marker is sensed to decode the measured information and column 6, lines 51-67, wherein the information measured has been marked and the sensor performs an operation that is a function of the information interpreted, wherein the timing of the user's engagement of the sensor information is received, Dougherty).

Claim 8:

Regarding claim 8, Dougherty teaches wherein the at least one information track comprises a graphical user interface to digital information (column 10, lines 24-32, wherein graphical illustrations indicate at least one characteristic of the computer process to which machine readable encoded linking information directs the computer system and column 12, lines 14-17, wherein the single color glyphs is arranged such that the digital information represented provides a meaningful two-dimensional barcode, Dougherty).

Claim 9:

Regarding claim 9, Dougherty teaches wherein the graphical user interface to digital

information further comprises a library track including a library track graphical representation of a library that allows users to activate hotspots to digital information (column 7, lines 7-15, wherein the catalog magazine with a held hand sensor with regions of the catalog, representing desired products, these regions are sensed and information interpreted by the wand sensor and column 6, lines 16-24, wherein the sensor involves user settings to activate on/off operations, Dougherty).

Claim 10:

Regarding claim 10, Dougherty teaches wherein the graphical user interface to digital information further comprises a document track including a document track graphical interface to digital information along a timeline (column 3, lines 4-9, wherein multicon linkmark may have graphical illustrations, webpage, media format of content, and wherein duration of content is know to be a detailed schedule of astronaut or mission activities indicating the activity and time at which it occurs within the mission, Dougherty).

Claim 11:

Regarding claim 11, Dougherty teaches wherein the document track further comprises images and hotspots to digital information allowing scrolling along the document track to access digital information (column 7, lines 60-65, wherein the Linkmark could invoke an application executing on the computer system and the instruction marks correspond to particular function which includes scrolling, Dougherty).

Claim 12:

Regarding claim 12, Dougherty teaches the step of displaying an explorer display

window over existing screen content (column 9, lines 21-35, wherein a webpage or website is displayed to user when the communications link is established and the computer system awaits another command from the computer user to continue performing any ongoing operations, Dougherty[1]).

Claims 13 and 21:

Regarding claims 13 and 21, Dougherty teaches wherein the explorer display window further comprises a combination of tabs and scroll bars to access and display digital information, tracks, hotspots and/or overlays (column 8, lines 2-10, wherein the possible variety of interface tools are defined Dougherty).

Claim 14:

Regarding claim 14, Dougherty teaches the step of activating a multi-track mode for simultaneously viewing and interacting with a plurality of information tracks of various types (column 2, lines 48-52, wherein a plurality of computer implemented processes can be controlled by a user, column 9, lines 32-.36, wherein the computer system awaits a command from the user OR, continues performing ongoing operations and column 3, lines 65-67, wherein Figure 12, illustrates a variety of icons each providing graphical illustrations corresponding to website, Dougherty[2]).

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[1] The Examiner interprets the phrase "displaying an explorer display window over existing screen content" to be an act performed by a user request a webpage or website through any browser displaying the content relating to the request of the user, and wherein if additional subject matter is requested by the user, it will be displayed over the existing screen content that was previously shown.

[2] The Examiner interpret the term "Multi-track mode" is defined to be differ from single-track in that you may now define to or more tracks from which to read out charge, and as it is defined in processing terms, each track is treated as a single track (column 11, lines 23-28 and column 12, lines 14-17, Dougherty).

Claim 15:

Regarding claim 15, Dougherty teaches the step of synchronizing and/or lock the movement of a plurality of information tracks when using the multi-track mode (column 11, lines 23-28 and column 12, lines 14-17, wherein the term "multi-track mode" is to defined to be differ from single-track in that you may now define to or more tracks from which to read out charge, and as it is defined in processing terms, each track is treated as a single track, Dougherty).

Claim 16:

Regarding claim 16, Dougherty teaches the step of varying scrolling speed of the at least one information track (column 11, lines 12-28, wherein the communication speed is defined, and wherein a website is defined opposed to just a webpage in which a website displays an entire collection of websites along with other information and scrolling be defined as upwards, downwards, or sideways movement of information on a computer screen as defined in column 8, lines 5-11, Dougherty).

Claim 17:

Regarding claim 17, Dougherty teaches the step of keyword searching to access predefined portions of the at least one information track (column 6, lines 7-17, Dougherty).

Claim 18:

Regarding claim 18, Dougherty teaches the step of toggling the presence of hotspots on and off (column 6, lines 17-24, wherein hotspots is defined as particular region and wherein hotspots are invisible in users/browser, see column 4, lines 24-31, Dougherty).

Claim 19:

Regarding claims 19. Dougherty teaches the steps of opening an display window for grouping hotspots to like information in a menu or table of contents fashion, and for view in digital information (see Figure 10, all features, wherein grouping is defined in multicon linkmarks including human readable information as disclosed throughout column 10-11, lines 33-67, and lines 1-10, wherein grouping a subject matter with related subject information and column 8, lines 5-11, wherein options is known to be a menu that displays a list of operations to a user or program, Dougherty).

Claim 20:

Regarding claim 20, Dougherty teaches wherein the explorer display window includes tabs for combining functions (column 8, lines 1-11, wherein tabs are utilized to carry-out commands/functions and column 10, lines 21-23 and column 12, lines 10-20, wherein glyphs are combined together to form two dimensional barcodes and wherein barcodes consist of a group of printed and variously patterned bars and spaces and sometimes numerals that is designed to be scanned and read into computer memory as identification for the object it labels, Dougherty).

Claim 23:

Regarding claim 23, Dougherty teaches the step of scanning and coding documents into

digital information (column 3, lines 10-17, wherein format of the machine-readable information is a two-dimensional bar code comprising a plurality of colored glyphs, the plurality of colored glyphs arranged such that digital information is encoded within the two-dimensional bar code in which barcodes consist of a group of printed and variously patterned bars and spaces and sometimes numerals that is designed to be scanned and read into computer memory as identification for the object it labels, Dougherty), further comprises the steps of:

scanning at least one document to create scanned images (column 3, lines 10-17, wherein digital image is a representation of a two-dimensional image as a finite set of digital values and column 8, lines wherein CMYK" type using cyan (C), magenta (M), yellow (Y), and black (K) inks to produce color images. In such a case, the encoded medium designer may be provided a mapping between CMYK space and the different content values;

saving the scanned images as scanned bitmap images (column 5, lines 40-44, wherein information stored in database may be saved for subsequent transmission or locally, and wherein bitmap can be two dimensional representing video and graphics, in which glyph is known to be a graphic as defined is Figure 16, all features, Dougherty);

importing and saving the scanned bitmap images into pixel bitmaps (see Figure 16, all features, wherein the information stored for a single grid point in the image, Dougherty;

importing the pixel bitmaps contiguously into separate memory spaces (column 8, lines 29-30, wherein mapping between CMYK space and different content values and column 6, lines 22-24, wherein the user to bring the sensor into close proximity, Dougherty); and

sequentially calling the pixel bitmaps (see Figure 12, all features wherein sequentially is known to be one operation after another as defined in column 12, lines 10-28, in which coloring

in each single color glyph is designed such that the color average and two-dimensional bar code both by the combined glyph and the color average, and wherein certain sensors may only be capable of determining the average color information, while others may be able to determine both average color information and the information encoded in the two-dimensional bookmark.

Prior art of Record

1. Dougherty et al (US Patent No. 6,256,638) discloses improving the human/computer interface by providing printable interfaces that enable a user to invoke and control computer processes, and wherein an encoded physical medium suitable for use in interfacing a computer user and a computer system such that the user can control and/or access a plurality of computer implemented processes such computer applications and web pages, and the encoded physical medium has a Linkmark and an instruction mark.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene R. Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helene R Rose
Technology Center 2100
January 20, 2006

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